

REMARKS

Summary of the Office Action

The abstract of the disclosure stands objected to because of its length.

Claims 1-6 and 9-10 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Kwon et al.* (US 6,671,010).

The Examiner is thanked for indicating that claims 7-8 include allowable subject matter.

Summary of the Response to the Office Action

Applicants have amended the abstract of the disclosure in accordance with the Examiner's comments. Also, Applicants have amended independent claim 1 to differently define the invention and amended claims 6-8 to improve their form. Accordingly, claims 1-10 remain pending for further consideration with claims 11-21 being withdrawn from consideration.

Objection to the Abstract

The abstract stands objected to because of its length. Applicants have amended the abstract in accordance with the Examiner's comments as set forth at page 2, section 2 of the Office Action. Applicants respectfully submit that the newly-amended abstract fully complies with MPEP § 608.01(b). Accordingly, Applicants respectfully request the objection to the abstract be withdrawn.

The Rejection under 35 U.S.C. § 102(e)

Claims 1-6 and 9-10 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by *Kwon et al.* (US 6,671,010). To the extent that the rejection might be reapplied to the claim as newly-amended, it is respectfully traversed as being based on a reference that neither teaches nor suggests the novel combination of features recited in the claims.

With respect to independent claim 1, as newly amended, Applicants respectfully submit that *Kwon et al.* neither teaches nor suggests the claimed combination including at least a feature of “a semiconductor layer having an active layer over the gate electrode, a first extended portion, and a neck region connecting the active layer and the first extended portion, wherein the neck region is completely covered with the drain electrode.”

The Office Action appears to allege that *Kwon et al.* discloses all of the features of independent claim 1 by citing to illustrations in FIGs. 6E, 6F, 6I and 6J of *Kwon et al.* Applicants respectfully disagree.

In contrast to the present invention of newly-amended claim 1, the cited drawings of *Kwon et al.* merely shows a cross-sectional structure taken along the line VI-VI of FIG. 6A of *Kwon et al.* Applicants respectfully submit that *Kwon et al.* does not show a cross-sectional structure taken along the line IX-IX of FIG. 7 of the present invention. In other words, Applicants respectfully submit that *Kwon et al.* fails to disclose the claimed combination including at least a feature of “a semiconductor layer having an active layer over the gate electrode, a first extended portion, and a neck region connecting the active layer and the first

extended portion, wherein the neck region is completely covered with the drain electrode,” as recited by newly-amended independent claim 1.

For at least the foregoing reasons, Applicants respectfully request that the rejection under 35 U.S.C. §102(e) should be withdrawn because the applied reference *Kwon et al.* does not teach or suggest each and every feature of independent claim 1, as newly-amended. As pointed out in MPEP § 2131, “[t]o anticipate a claim, the reference must teach every element of the claim.” Thus, “[a] claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference. Verdegaal Bros. v. Union Oil Co. Of California, 2 USPQ 2d 1051, 1053 (Fed. Cir. 1987).” Furthermore, Applicants respectfully assert that the rejection to dependent claims 2-6, 9 and 10 and the objection to claims 7-8 should also be withdrawn at least because of their dependencies from independent claim 1 and for the reasons set forth above and reasons that claims 7-8 include allowable subject matter.

With no other rejection pending, Applicants respectfully submit that claims 1-10 are in condition for allowance.

Conclusions

In view of the foregoing, Applicants earnestly solicit the issuance of a Notice of Allowability. Should the Examiner feel that there are any issues outstanding after consideration of this response, the Examiner is invited to contact Applicants' undersigned representative to expedite prosecution.

If there are any other fees due in connection with the filing of this response, please charge the fees to our Deposit Account No. 50-0310. If a fee is required for an extension of time under 37 C.F.R. 1.136 not accounted for above, such an extension is requested and the fee should also be charged to our Deposit Account.

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

Dated: January 3, 2005

By: 

Sunwoo Lee
Reg. No. 43,337

Customer No. 009629
MORGAN, LEWIS & BOCKIUS LLP
1111 Pennsylvania Avenue, NW
Washington, DC 20004
Tel: 202.739.3000
Fax: 202.739.3001